

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF GEORGIA

STATESBORO DIVISION

FILED
U.S. DISTRICT COURT
STATESBORO DIV.
2007 DEC 18 AM 10:54
CLERK
SO. DIST. OF GA.

UNITED STATES OF AMERICA)

v.)

DARELL DENSON)

INDICTMENT NO. CR694-00012-002

ORDER

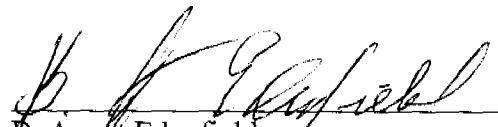
On January 19, 1995, Defendant was convicted by jury of two counts of an indictment, conspiracy to possess with intent to distribute and to distribute cocaine base and possession with intent to distribute and distribution of cocaine base. On April 10, 1995, this Court sentenced Defendant to 220 months as to each count, to be served concurrently.

On November 16, 2007, Defendant filed a motion pursuant to 18 U.S.C. § 3582(c)(2) requesting that the Court reduce his term of imprisonment pursuant to a November 1, 2007, amendment to § 2D1.1 of the sentencing guidelines with respect to cocaine base penalties. The Government has responded that the motion should be denied.

The United States Sentencing Commission has decreed that the above-cited amendment will not be given retroactive effect until March 3, 2008. Therefore, the Court cannot appropriately consider the retroactivity of the amendment with respect to Defendant's case until that date. Should Defendant elect to file a new motion in this regard *on or after* March 3, 2008, the Court will give the motion due consideration at that time.

Based on the aforementioned, Defendant's motion is hereby **DENIED**.

SO ORDERED, this 18 day of December, 2007.


B. Avant Edenfield
United States District Judge
For the Southern District of Georgia